

Allowable Subject Matter

1. Claims 44, 45, 48-54, 64, 65 and 68-73 are allowed.

2. The following is an examiner's statement of reasons for allowance:

Claim 44 recites an apparatus for actuating movement of an implantable medical device during invitro testing. The device is generally comprised of a movable and drivable component. The movable component includes means for holding the medical device wherein the implantable device holding means includes a body with first and second support members attached such that the first and second support members are axially adjustable along the body. The drivable component is attached to the holding means and includes means for actuating the drivable component by a non-contact coupling with a driving source disposed entirely outside the container. Claim 64 recites holding means for a dosage form as opposed to holding means for an implantable medical device. The Examiner considers the prior art Shah to be the closest prior art. Shah teaches a filter element with magnet that the Examiner considers to be a holding means and a drivable component, but Shah does not teach nor suggest a body with the first and second adjustable support members.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DWAYNE K. HANDY whose telephone number is (571)272-1259. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jill Warden can be reached on (571)-272-1267. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jill Warden/
Supervisory Patent Examiner, Art Unit 1797

/Dwayne K Handy/
Examiner, Art Unit 1797
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